



Order Filed on September 14, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

HLADIK, ONORATO & FEDERMAN, LLP

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Attorney for Westlake Services, LLC d/b/a Westlake
Financial Services

In Re:

STEVEN JONES

(Debtors)

Case No: 22-11927-MBK

Hearing Date: 08/24/2022 at 9:00am

Chapter: 13

Judge: Michael B. Kaplan

Recommended Local Form: ☐ Followed ☒ Modified

ORDER RESOLVING MOTION TO VACATE STAY

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: September 14, 2022


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Applicant: Westlake Services, LLC d/b/a Westlake Financial Services

Applicant's Counsel: Sarah K. McCaffery, Esquire

Debtor's Counsel: Bruce Truesdale, Esquire

Property Involved ("Collateral"): 2008 CHEVROLET TAHOE, VIN# 1GNFK13018J110817

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 4 months from 05/20/2022 to 08/20/2022.

☒ Applicant acknowledges funds in the amount of \$0.50 in Debtor's suspense.

Total Arrearages Due: \$1,197.50.

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$300.00. Payment shall be made no later than August 31, 2022.

☒ Beginning on 09/01/2022, regular monthly mortgage payments shall continue to be made in the amount of \$299.50.

☒ Beginning on 09/01/2022, additional monthly cure payments shall be made in the amount of \$149.59 for 6 months.

☐ The amount of _____ shall be capitalized in the debtor's Chapter 13 plan.

3. Payments to the Secured Creditor shall be made to the following address(es):
Resurgent Capital Services, LP
PO Box 3427
Greenville, SC 29602

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, or the instant Bankruptcy case converts to a Chapter 7, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney. Debtor's opportunity to cure the default shall be limited to two (2) occurrences. Upon the third occurrence, Creditor may file a Certification of Default with the Court without notice to Debtor or Debtor's counsel.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney's fees of \$ 500.00, and costs of \$ 188.00.

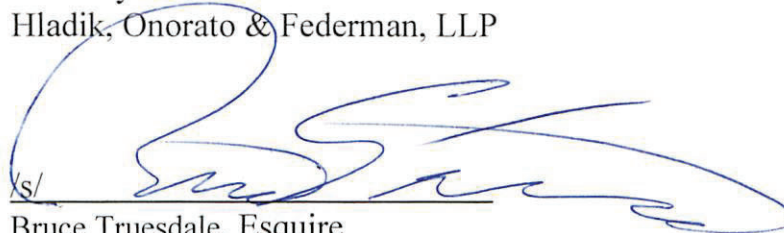
The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorney's fees are not awarded.

/s/ Sarah K. McCaffery
Sarah K. McCaffery, Esquire
Attorney for Movant
Hladik, Onorato & Federman, LLP

/s/ 
Bruce Truesdale, Esquire
Attorney for Debtor